

REGULAR MEETING

April 12, 1999

The Regular Meeting of the Annapolis City Council was held on April 12, 1999 in the Council Chamber. Mayor Johnson called the meeting to order at 7:35 p.m.

Present on Roll Call: Mayor Johnson, Aldermen Hammond, Tolliver, Gilmer, Sachs, McMillan, Carter, Fox, Moyer

Staff Present: City Attorney Goetzke, Planning and Zoning Director Arason, Human Resources Director Milburn, Fire Chief Sherlock, Public Works Director Smith, Police Chief Johnson, Central Services Officer Harrison, Transportation Director Matland, Finance Director Sulick

Alderman Gilmer moved to approve the Minutes of March 8, March 15 and March 22, 1999. Seconded. CARRIED on voice vote.

STATE OF THE CITY ADDRESS

Mayor Johnson gave the State of the City address and presented the FY 2000 Budget.

PETITIONS, REPORTS AND COMMUNICATIONS

1. Richard Kommers
Baha'i Faith of Annapolis
108 Simms Drive
Annapolis, Md. 21401

Presentation of "Two Wings of A Bird".

2. Renee Marshall
10 Cornhill Street
Annapolis, MD 21401

Spoke regarding Ordinance O-57-98.

LEGISLATIVE ACTION

ORDINANCES

- O-36-98** For the purpose of requiring applicants for City building and grading permits to pay or to demonstrate exemption from Anne Arundel County school impact fees under certain conditions; and all matters relating to said impact fees.

There being no voiced objection, action on O-36-98 was postponed.

- O-40-98** For the purpose of exempting certain nonprofit, community and/or neighborhood functions from certain fees under certain conditions; and all matters relating to said exemption.

There being no voiced objection, action on O-40-98 was postponed.

- O-57-98 For the purpose of authorizing the City Council to waive certain charges for certain users outside the city under certain conditions; establishing that such waiver shall be terminated under certain circumstances; and all matters relating to said waiver of charges.**

Alderman Hammond moved to adopt O-57-98 on second reading. Seconded.

The Economic Matters Committee and Environmental Matters Committee reported unfavorably on O-57-98.

A ROLL CALL vote was taken:

YEAS: Mayor Johnson, Alderman Moyer

NAYS: Aldermen Hammond, Tolliver, Gilmer, Sachs, McMillan, Carter, Fox

DEFEATED: 7-2

- O-60-98 For the purpose of authorizing the conveyance, by quit claim deed, of whatever rights, title and interest the City has in a certain parcel of land known as South Cherry Grove Stream Crossing in the City of Annapolis, to the Maryland Environmental Trust as grantee, with a reservation of certain easements to the City; and all matters relating to said quit claim deed.**

Alderman Sachs moved to substitute O-60-98 Revised for O-60-98. Seconded. CARRIED on voice vote.

Alderman Sachs moved to adopt O-60-98 Revised on second reading. Seconded.

The Economic Matters Committee reported favorably on O-60-98 Revised.

The main motion CARRIED on voice vote.

Alderman Hammond moved to adopt O-60-98 Revised on third reading. Seconded. CARRIED on voice vote.

- O-5-99 For the purpose of repealing certain sections of Chapter 12.16, "General Traffic Regulations", which are outdated or for which there are state laws governing the issues addressed therein; and all matters relating to said regulations.**

Alderman Gilmer moved to adopt O-5-99 on second reading. Seconded.

The Public Safety Committee reported favorably on O-5-99.

The main motion CARRIED on voice vote.

Alderman Gilmer moved to adopt O-5-99 on third reading. Seconded. CARRIED on voice vote.

- O-9-99 For the purpose of updating certain provisions of the City Code pertaining to the fire department; establishing that the volunteer fire companies shall obey and enforce the orders of the fire chief and rules and regulations of the department; repealing Section 2.32.110, Ambulance - Routine Transportation; and all matters relating to said fire department.**

Alderman Sachs moved to adopt O-9-99 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee.

- O-10-99 For the purpose of providing that licensees holding a State-issued Class E Steamboat License may serve alcoholic beverages to paying passengers of a bona fide regularly scheduled or chartered tour while on a vessel made fast to a wharf or pier; and all matters relating to said service of alcoholic beverages.**

Alderman Sachs moved to adopt O-10-99 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee, Maritime Advisory Board and Alcoholic Beverage Control Board.

- O-11-99 For the purpose of authorizing the amendment of lease of certain public land not needed by the City for public use under certain terms and conditions; and all matters relating to said amendment of lease.**

Alderman Hammond moved to adopt O-11-99 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee and Finance Committee.

- O-14-99 For the purpose of establishing certain requirements for yards for accessory buildings in the C1 Conservation Residence District; and all matters relating to said yard requirements.**

Alderman Gilmer moved to adopt O-14-99 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee and Planning Commission.

- O-16-99 For the purpose of establishing that certain fees and charges shall be set by resolution of the City Council; deleting certain out-dated provisions that apply to fees that are no longer charged; deleting references in the City Code to certain fees that will be included in a fee schedule resolution; establishing certain new fees and charges; and all matters relating to said fees and charges.**

Alderman Sachs moved to adopt O-16-99 on first reading. Seconded. CARRIED on voice vote.

Referred to the committee of the whole.

- O-18-99 For the purpose of authorizing Addenda to Lease Agreements between the United States Yacht Shows, Inc. and Annapolis Boat Shows, Inc. and the City of Annapolis for the previously approved 1999, 2000 and 2001 boat shows for the purpose of allowing the United States Yacht Shows, Inc. and Annapolis Boat Shows, Inc., at its option and subject to availability, to use the City's Edgewood Road property as a staging area; and all matters relating to said Addenda to Lease Agreements.**

Alderman Sachs moved to adopt O-18-99 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee, Maritime Advisory Board and Finance Committee.

O-20-99 For purpose of authorizing the lease of certain municipal property located at the City Dock to Chesapeake Bay Foundation, Inc. for the purpose of docking and mooring the vessel known as "Stanley Norman"; and all matters relating to said lease.

Alderman Hammond moved to adopt O-20-99 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee, Maritime Advisory Board and Finance Committee.

O-22-99 For the purpose of authorizing the lease of certain municipal property located at the City Dock to Berkshire Castaways, Inc. for the purpose of docking and mooring the vessel known as "Half Shell"; and all matters relating to said lease.

Alderman Hammond moved to adopt O-22-99 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee, Maritime Advisory Board and Finance Committee.

RESOLUTIONS

R-22-98 For the purpose of establishing a neighborhood partnership program in the City of Annapolis; and all matters relating to said program.

Alderman Sachs moved to adopt R-22-98. Seconded.

The Rules and City Government Committee reported favorably with amendments on R-22-98.

Alderman Hammond moved to amend R-22-98 as follows:

Amendment No. 1:

On Page 1, strike lines 25 through 27 in their entirety.

Amendment No. 2:

On Page 1, at the end of line 29, strike "the" and substitute "an".

Amendment No. 3:

On Page 1, line 30, strike beginning with "include" through and including "document" on line 32 and substitute the following:

"promote neighborhood planning and to provide technical planning assistance to neighborhoods".

Seconded. CARRIED on voice vote.

The main motion, as amended, CARRIED on voice vote.

- R-6-99** For the purpose of adopting the Water and Sewer Rate Study dated February 3, 1999; establishing the water and sewer rates as set in Option 2 of the study; and all matters relating to said water and sewer rate.

Following discussion, Alderman Sachs moved that R-6-99 be considered as an ordinance and moved adoption on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee and Finance Committee.

FY 2000 BUDGET LEGISLATION

- O-23-99** For the purpose of adopting an operating budget for the City of Annapolis for the fiscal year 1999-2000, beginning July 1, 1999 and ending June 30, 2000; to appropriate funds for expenditures for the fiscal year beginning July 1, 1999 and ending June 30, 2000; levying and imposing a property tax rate for the Fiscal Year beginning July 1, 1999 and ending on June 30, 2000, for the purpose of defraying all expenses and liabilities of the City of Annapolis and levying same for the purposes specified; specifying certain duties of the Director of Finance, specifying a rate of interest to be charged upon overdue property taxes; and all matters generally relating to said budget and property tax rate.

Alderman Sachs moved to adopt O-23-99 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

- R-5-99** For the purpose of adopting a capital improvement budget for the Fiscal Year 2000, and a capital improvement program for the six year period from July 1, 1999 to June 30, 2005; and all matters relating to said budget and program.

Referred to the Finance Committee and the Planning Commission.

BUDGET-RELATED LEGISLATION

- O-12-99** For the purpose of revising and updating the Fire Prevention Code of the City of Annapolis; deleting from the Fire Prevention Code requirements related to the removal of underground tanks (to be transferred to Chapter 17.22); requiring a sprinkler contractors license; providing that certain appeals shall be taken and certain penalties shall be assessed under the State of Maryland Fire Prevention Code rather than this Code; transferring certain authority from the Department of Public Works to the Department of Planning and Zoning; and all matters relating to the Fire Prevention Code.

Alderman Hammond moved to adopt O-12-99 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee and Public Safety Committee.

- O-13-99 For the purpose of transferring the position of Harbor Master and its duties to the Department of Central Services; and all matters relating to said Harbor Master.**

Alderman Sachs moved to adopt O-13-99 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee.

- O-15-99 For the purpose of revising the list of positions in the exempt service; deleting certain positions; establishing that the pay grades for exempt service positions shall be set in the operating budget; and all matters relating to said exempt service.**

Alderman Sachs moved to adopt O-15-99 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee.

- O-17-99 For the purpose of revising and transferring certain duties of the Public Works Department and the Planning and Zoning Department; correcting references to duties of the City Clerk which are currently handled by other directors; revising duties of the Central Services Officer; and all matters relating to said departments.**

Alderman Sachs moved to adopt O-17-99 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee, Environmental Matters Committee, Housing and Human Welfare, Planning Commission, Public Safety Committee, Rules and City Government Committee.

- O-21-99 For the purpose of establishing certain requirements pertaining to petroleum storage facilities; establishing that fees related to such facilities shall be set by resolution; establishing enforcement and appeals procedures related to such facilities; transferring certain authority to the Department of Planning and Zoning; and all matters relating to said petroleum storage facilities.**

Alderman Sachs moved to adopt O-21-99 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee and Public Safety Committee.

BUSINESS AND MISCELLANEOUS

1. Housing and Community Development Committee Recommendations for Action dated March 26, 1999

Alderman Gilmer moved to adopt the Housing and Community Development Committee Recommendations for Action dated March 26, 1999. Seconded. CARRIED on voice vote.

2. Finance Committee Recommendations for Action dated March 18, 1999

Alderman Sachs moved to adopt the Finance Committee Recommendations for Action dated March 18, 1999. Seconded. CARRIED on voice vote.

3. Payment of Monthly Bills

Alderman Sachs moved to pay the monthly bills. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:10 p.m.

**Patricia L. Bembe, CMC/AAE
City Clerk**